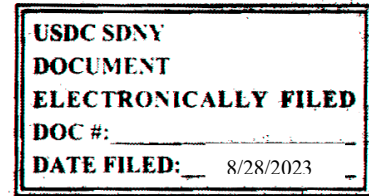


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
ANDRE JAMEL DAVIS,

Plaintiff,

23-cv-00885 (JPC) (VF)

-against-

ORDER

SGT. HORTON (4023), PO GONZALEZ (17878),
PO CALLE JEAN (9283), PO SEDITA (2923)

Defendants.
-----X

VALERIE FIGUEREDO, United States Magistrate Judge:

On August 24, 2023, Defendants' counsel wrote a letter to the Court informing the Court that the complaint received by at least some of the Defendants, and served by Plaintiff on July 20, 2023, was different from the version of the complaint that was filed by Plaintiff on the docket at ECF No.1. Defendant's counsel asserted that the version of the complaint Defendants were served with has not been filed on the docket. See ECF No. 49 at 1.

The Court therefore directs Plaintiff to identify the complaint he wishes to proceed with in this action. If Plaintiff wishes to proceed with a version of the complaint that is different than the currently filed version at ECF No. 1, he is instructed to file an amended complaint **by Friday, September 29, 2023**. If, however, Plaintiff is proceeding with the version of the complaint filed at ECF No. 1, then Plaintiff is directed to serve that version of the complaint on all Defendants **by Friday, September 29, 2023**, and file proof of service with the Court by that date. The Clerk of Court is directed to mail a copy of this order to the Plaintiff at the address noted on the docket, along with a copy of the complaint at ECF No. 1.

SO ORDERED.

DATED: New York, New York
August 28, 2023

A handwritten signature in black ink, appearing to read 'Valerie Figueredo', written over a horizontal line.

VALERIE FIGUEREDO
United States Magistrate